

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 10/534,511
Filing Date: March 15, 2006
First Named Inventor: WINFIELD, Alan H.
Group Art Unit: 3633
Examiner Name: CAJILIG, Christine T.
Attorney Docket No.: 46094.30

Certificate of Transmission Under 37 C.F.R. 1.8(a)

I hereby certify that this document is being electronically transmitted on this date February 25, 2009 to the U.S. Patent and Trademark Office, Attention: Examiner Christine T. Cajilig at Group Art Unit 3633 in Alexandria, VA 22313-1450

Eileen Lucas
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DATED: February 25, 2009

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
MAILED FEBRUARY 11, 2009

To: Assistant Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed February 11, 2009 and is within the one month period for reply.

Further to Applicant's Amendment and Response to the Office Action dated June 20, 2008 which was filed on December 19, 2008, Applicant encloses the Amendments to the Claims section including claim 1 which contains the language previously inserted in the amendment filed on April 29, 2008.

Respectfully submitted,

Alan H. Winfield

By:

Edward Yoo (Reg. No. 41,435)

CORRESPONDENCE ADDRESS CUSTOMER NO. 22828

Amendments to the Claims:

This listing of claims will replace all prior versions of claims in the application:

Listing of Claims:

1. (Currently amended) A heat insulation window comprising:
 - (a) an inner pane and an outer pane, defining an air space therebetween;
 - (b) a spacing member disposed between the inner and outer panes which maintains the panes in a spaced-apart relationship, the spacing member being hollow and defining openings permitting gas communication between the air space and the interior volume of the spacing member;
 - (c) a desiccant material contained within the spacing member; and
 - (d) a frame surrounding a perimeter of the window, wherein the frame comprises:
 - (i) at least one desiccant concealing member which is hollow and detachable from the frame;
 - (ii) a replaceable desiccant cartridge removably disposed within the desiccant concealing member; and
 - (iii) a conduit means for providing gas communication between the interior volume of the spacing member air space and the desiccant cartridge; such that air passing into the interior volume of the spacing member first passes through the desiccant cartridge wherein the desiccant concealing member and desiccant cartridge are positioned adjacent to the inner pane, such that the inner pane is between the spacing member, and the desiccant concealing member and the desiccant cartridge.
2. (Currently amended) The window of claim 1 wherein the desiccant concealing member and desiccant cartridge are positioned adjacent to the inner pane, such that the inner pane is between the spacing member, and the desiccant concealing member and the desiccant

cartridge the conduit means provides gas communication between the interior volume of the spacing member and the desiccant cartridge.

3. (Original) The window of claim 1 wherein the desiccant cartridge comprises an elongated cylindrical tube.
4. (Original) The window of claim 1 wherein the desiccant concealing member is elongated and has a substantially U-shaped cross-sectional profile.
5. (Previously presented) The window of claim 4 wherein the cross-sectional profile comprises two linear segments joining at a substantially right angle.
6. (Original) The window of claim 1 wherein the frame comprises an outer channel member, an inner channel member, a web member disposed between the outer and inner channel members, wherein the desiccant concealing member is detachably connected to the inner channel member.
7. (Original) The window of claim 6 wherein the desiccant concealing member is comprised of a resilient material and comprises a first lip and a second lip which each engage an undercut groove in the inner channel member.
8. (Currently amended) The window of claim 1 wherein a second desiccant material is contained within the desiccant cartridge and has a higher affinity for water then the than a first desiccant material.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,511	03/15/2006	Alan H. Winfield	46094.30	5066
22828	7590	02/11/2009		EXAMINER
EDWARD YOO C/O BENNETT JONES 1000 ATCO CENTRE 10035 - 105 STREET EDMONTON, ALBERTA, AB T5J3T2 CANADA			ART UNIT	PAPER NUMBER

DATE MAILED: 02/11/2009

RECEIVED FEB 23 2009

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No. 10/534,511	Applicant(s) WINFIELD, ALAN H.
	Examiner CHRISTINE T. CAJILIG	Art Unit 3633

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 19 December 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____.
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____.
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____.
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: See Continuation Sheet.
- 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

- Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or
- Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/C. T. C./
Examiner, Art Unit 3633

/Robert J Canfield/
Supervisory Patent Examiner, Art Unit 3635

Continuation of 4(e) Other: The language of amended claim 1 does not contain the language previously inserted in the amendment filed on 4/29/08.